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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/091,906

03/05/2002

Hung Viet Ngo

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(PAR)

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04/30/2003

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EXAMINER

ZARROLI, MICHAEL C

ART UNIT

PAPER NUMBER

2839

DATE MAILED: 04/30/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/091,906

Applicant(s)

NGO, HUNG VIET

Examiner

Michael C. Zarroli

Art Unit

2839

Peri d f r R ply
-- The MAILING DATE of this communication appears on the cov r sheet with the c rrespondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 March 2002 .
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 18-23 is/are allowed.
- 6) ☒ Claim(s) 1,2,4-7,9-17 and 24 is/are rejected.
- 7) ☒ Claim(s) 3,8,25 and 26 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 March 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Pri rity under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____ .
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2 .
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____ .

DETAILED ACTION

Drawings

1. New corrected drawings are required in this application because of the comments by the draftsman. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

3. Claims 12-17 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 12, it is well settled that the presence of process limitations in product claims, which limitations do not otherwise distinguish the current article over the prior art, cannot impart patentability to that product. (*In re Johnson*, 157USPQ 670, 1968) also (*In re Thorpe*, 227USPQ 964, 1985)

The last paragraph of claim 12 recites a method of forming limitation; “the

pair of inner housings being inserted.” The examiner will be able to reject this claim on the art.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-2, 4-7 and, 9-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Taira et al.

Taira discloses an optical connector adapter (title) with a housing (30A or 30B) having a passage (figures 5 or 9) that receives a pair of connectors that can be mated to each other. A pair of latch inserts (20) in the passage is disclosed, with each latch insert adapted for locking one of the connectors to the housing. Taira also discloses that at least one of the latch inserts has a spring-loaded projection (e.g. 75) that is “biased” into a housing detent locking the latch insert to the housing (figures 9 & 10).

Regarding claim 2 Taira discloses that the housing is a one-piece member (30, 30A, 30B).

Regarding claim 4 Taira discloses that the detent is a recess formed in a side of the housing passage (fig. 8).

Regarding claim 5 Taira discloses that the detent is an aperture (79) extending through the sidewall of the passage (69 in fig. 8).

Regarding claim 6 Taira discloses that the latch insert has an exterior surface complimentary to the interior of the passage (e.g. fig. 9) and, has a resiliently flexible arm that supports the spring loaded projection.

Regarding claims 7 and 9 Taira discloses that the exterior of the latch insert complements the interior of the housing passage around a perimeter of the exterior surface (figure 2 & 3) and stably holds the latch insert (fig. 10).

Regarding claim 10 Taira discloses that the latch insert has a pair of arms (fig. 4 at 25) for latching to the connector.

6. Claims 12-15 (as best understood) and, 24 are rejected under 35

U.S.C. 102(e) as being anticipated by Zimmer.

Zimmer discloses an optical connector adapter (title) with an outer housing (12) having a passage (18) for mating a pair of opposing connectors. Pair of inner housings (42, 44) in this passage (fig. 2) each having a receptacle (64)

for receiving a connector is also disclosed. Zimmer discloses that the outer housing is one-piece (fig. 1) with the inner housings inserted into the passage from opposite ends of the passage (fig. 2).

Regarding claims 13 and 14 Zimmer discloses that the outer housing has a guide rail (54) and that the inner housings have a complementary guide (50) that are slidably interlocked when the inner housing is inserted into the passage with the inner housings aligned in the passage (fig. 1).

Regarding claim 15 Zimmer discloses (fig. 10) that the guide rail comprises a channel in the sidewall of the passage that is aligned with an insertion axis of the passage (fig. 2).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Taira et al as applied to claim 1 above, and further in view of admitted art Abenddschein.

Taira does not disclose multiple passages formed through the housing.

Abenddschein discloses a housing with multiple passages (fig. 4).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to have more than one passage in the housing of Taira, since it has been held that mere duplication of the essential working parts of a device involves only routine skill in the art. *St. Regis Paper Co. v. Bemis Co.*, 193 USPQ 8.

Allowable Subject Matter

9. Claims 18-23 are allowed over the prior art of record.
10. Claims 3, 8 and, 25-26 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
11. Claims 16-17 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.
12. The following is a statement of reasons for the indication of allowable subject matter: Another detent in the housing for the second inner housing having a spring loaded projection. Both flexible arms of the inner latch insert have a spring-

loaded projection. The guide rails of the housing prevent the wrong inner insert from being inserted on the wrong side of the passage.

Conclusion

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Lu teaches inner housing and an outer housing with a detent. Shibutani et al is not eligible as prior art because of its priority date but it shows in figure 1 inner housing and an outer housing with detents.

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael C. Zarroli whose telephone number is 703-305-0608. The examiner can normally be reached on 7:30 to 3:30 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynne Feild can be reached on (703) 308-2710. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9318 for regular communications and 703-872-9319 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

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A handwritten signature in black ink, appearing to read "Michael C. Zarroli". The signature is fluid and cursive, with a small upward tick at the end.

Michael C. Zarroli

Examiner

Art Unit 2839

MCZ

MCZ

April 28, 2003